

REMARKS

The Office Action mailed November 15, 2005 has been carefully reviewed and, in view of the above amendments and following remarks, reconsideration and allowance of the application are respectfully requested.

I. Claim Summary

Claims 1-5, 8-12, 15, 30-32, 43-45, and 51-58 are currently pending in the application, with claims 1, 9, 30, 43, and 51 being independent claims. Claims 1, 9, 12, 30, and 43 are amended and claims 6-7, 13-14, and 33-35 are cancelled, in accordance with the above amendments.

II. Office Action Summary

The following claim allowances and rejections were submitted by the Examiner in the outstanding Office Action:

- Claims 1-15, 30-35, and 43-45 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Number 5,083,361 to Rudy;
- Claims 1-2, 4-10, 12-15, 30-31, 33-35, 43, and 45 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Number 5,741,568 to Rudy; and
- Claims 51-58 are allowed.

III. Discussion of Applied Prior Art

Discussion of U.S. Patent Number 5,083,361 to Rudy

U.S. Patent Number 5,083,361 to Rudy (hereafter referred to as Rudy '361) discloses a pressurized bladder. With reference to Figures 2, 2a, and 2b, for example, the bladder includes an outer barrier 12, a fabric 14, and a pair of connecting sheets 23 and 24. Barrier 12 forms an exterior of the bladder and seals a pressurized fluid within the bladder. Fabric 14 is formed from a pair of textile layers 16 and 18 and a plurality of threads 20 that extend between textile layers 16 and 18. Connecting sheets 23 and 24 are polymer layers.

When assembled, connecting sheets 23 and 24 are effectively melted into the surface of textile layers 16 and 18. That is, threads from textile layers 16 and 18 extend into connecting sheets 23 and 24 and are embedded in the solid structure of connecting sheets 23 and 24 (see

Figure 4c of Rudy '361). Connecting sheets 23 and 24 are, in turn, joined with barrier 12. Accordingly, connecting sheets 23 and 24 join to each of textile layers 16 and 18 and barrier 12. Note that textile layers 16 and 18 are not joined to barrier 12. Rather, textile layers 16 and 18 are joined to connecting sheets 23 and 24, and connecting sheets 23 and 24 are joined to barrier 12.

Discussion of U.S. Patent Number 5,741,568 to Rudy

U.S. Patent Number 5,741,568 to Rudy (hereafter referred to as Rudy '568) discloses a pressurized bladder. With reference to Figure 2, the bladder includes a barrier 11 and a compressible insert 12. Barrier 11 forms an exterior of the bladder and seals a pressurized fluid within the bladder. Insert 12 is located within barrier 11 and is joined to barrier 11.

With reference to Figure 3, insert 12 includes a plurality of fibers 13b that extend into barrier 11, thereby joining barrier 11 and insert 12. More particularly, fibers 13b extend into barrier 11 and are locked into the solid structure of barrier 11. With reference to the specification, "the discrete filaments have a denier per filament of between about 1 and 20 and a length sufficient to allow a first portion to embed in the flexible barrier material and a second portion to embed in the compressible insert" (Rudy '568, column 7, lines 16-19). A similar configuration is disclosed in Figures 5A-5E.

IV. Discussion of Independent Claims 1 and 30

Independent claim 1 recites a fluid-filled bladder for an article of footwear. The bladder includes a flexible outer barrier that is substantially impermeable to a fluid contained by the bladder. The bladder also includes a core located within the outer barrier. The core includes at least one fusing filament that is fused directly to the outer barrier and secures the core to the outer barrier. Each of the outer barrier and the at least one fusing filament include thermoplastic polyurethane materials. Independent claim 30 also recites that each of the outer barrier and the at least one fusing filament include thermoplastic polyurethane materials.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Neither of the Rudy patents teach or suggest an outer barrier and a fusing filament that each include thermoplastic polyurethane materials. Accordingly, the Applicants respectfully submit that independent claims

1 and 30 are allowable over the Rudy patents. In addition, claims 2-5, 8, and 31-32 should be allowable for at least the same reasons.

V. Discussion of Independent Claim 9

Independent claim 9 recites a fluid-filled bladder for an article of footwear. The bladder includes a flexible outer barrier and a core. The outer barrier is substantially impermeable to a fluid contained by the bladder. The core is located within the outer barrier and includes a first wall structure that is spaced from a second wall structure and joined by a plurality of connecting members. The core includes at least one fusing filament that is integrated into the wall structures and is fused directly to the outer barrier to secure the core to the outer barrier. A material of the at least one fusing filament is the same as a material of the outer barrier.

Independent claim 9 should be allowable for reasons that are similar to independent claim 51. More particularly, the Office Action states that independent claim 51 is allowed since the material of the fusing filament is not the same material as the outer barrier in either of the Rudy patents. Given that independent claim 9, like independent claim 51, recites that a material of the at least one fusing filament is the same as a material of the outer barrier, the Applicants respectfully submit that independent claim 9 is allowable over the Rudy patents. In addition, claims 10-12 and 15 should be allowable for at least the same reasons.

VI. Discussion of Independent Claim 43

Independent claim 43 recites a pressurized bladder for an article of footwear. The bladder includes an outer barrier and a core. In addition to other recitations, independent claim 43 states that a first fabric layer and a second fabric layer of the core are formed from yarns and a plurality of connecting yarns extend between the first fabric layer and the second fabric layer. In addition, the first fabric layer and the second fabric layer each include fusing filaments formed of a thermoplastic material that is different than a material of the yarns and connecting yarns.

Rudy '568 discloses a bladder with a foam member located within the barrier forming the bladder. In contrast with independent claim 43, this configuration does not teach or suggest the concept of a first fabric layer and a second fabric layer formed from yarns, and a plurality of connecting yarns extend between the first fabric layer and the second fabric layer.

As noted above, Rudy '361 discloses that threads from textile layers 16 and 18 extend into connecting sheets 23 and 24 and are embedded in the solid structure of connecting sheets 23 and 24, and connecting sheets 23 and 24 are, in turn, joined with barrier 12. Accordingly, threads from textile layers 16 and 18 join with connecting sheets 23 and 24 to join the core to the barrier. The threads are from textile layers 16 and 18 and are, therefore, formed of a material that is the same as textile layers 16 and 18. In contrast, independent claim 43 recites that the first fabric layer and the second fabric layer each include fusing filaments formed of a thermoplastic material that is different than a material of the yarns and connecting yarns. That is, the material of the fusing filaments is different than the material of the yarns forming the fabric layers.

Based upon the above discussion, the Applicants respectfully submit that independent claim 43 is allowable over the Rudy patents. In addition, claims 44 and 45 should be allowable for at least the same reasons.

VII. Conclusion

In view of the foregoing, the Applicants respectfully submit that all claims are in a condition for allowance. The Applicants respectfully request, therefore, that the rejections be withdrawn and that this application now be allowed.

This Amendment is being timely filed by facsimile transmission on December 15, 2005. Should additional fees or an extension of time be deemed necessary for consideration of this Amendment, such fees or extension are hereby requested and the Commissioner is authorized to charge deposit account number 19-0733 for payment. If anything further is desirable to place the application in even better form for allowance, the Examiner is respectfully requested to telephone the undersigned representative at (503) 425-6800.

Respectfully submitted,

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